

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF ALABAMA**

In re:

Case Number: 17-31006

Chapter: 13

**Christopher R. Chance  
And Nikki H. Chance**

Debtors.

**PURSUANT TO LOCAL RULE 4001-1, THIS MOTION WILL BE TAKEN UNDER ADVISEMENT BY THE COURT AND MAY BE GRANTED UNLESS A PARTY IN INTEREST FILES A RESPONSE WITHIN 21 DAYS OF THE DATE OF SERVICE. RESPONSES MUST BE SERVED UPON THE MOVING PARTY AND, IN THE MANNER DIRECTED BY LOCAL RULE 5005-1, FILED WITH THE CLERK ELECTRONICALLY OR BY U.S. MAIL ADDRESSED AS FOLLOWS: CLERK, U.S. BANKRUPTCY COURT, ONE CHURCH STREET, MONTGOMERY, AL 36104.**

**Motion for Relief from Stay**

COMES NOW, Bertha N. Reaves, by and through her counsel, as Plaintiff in a civil action against Debtor titled *Bertha N. Reaves v. Kelly Hellums Chance and Andrew Oliver Eakin*, Case Number 03-cv-2017-900378 in the Circuit Court of Montgomery County, Alabama and respectfully requests this Court to lift the stay in order to proceed with settlement. As grounds therefore, Plaintiff Bertha N. Reaves represents:

1. On April 7, 2017, Debtors Christopher R. Chance and Nikki H. Chance filed a voluntary petition for relief under Chapter 13 of the Bankruptcy Code.

2. The Debtor Nikki H. Chance (aka Kelly H. Chance) was in the midst of a personal injury action when she filed for Chapter 13. Debtor Nikki H. Chance is a Defendant in a civil action that was filed on March 10, 2017 titled *Bertha N. Reaves v. Kelly Hellums Chance and Andrew Oliver Eakin*, 03-cv-2017-900378 in the Circuit Court of Montgomery County, Alabama arising from a motor vehicle accident on April 30, 2016.

3. An insurance policy exists with State Farm Mutual Automobile Insurance Company that covers Debtor Nikki H. Chance for any and all damages/injuries sustained from the accident.

4. Plaintiff Bertha N. Reaves and State Farm Mutual Automobile Insurance Company, have reached a settlement less than the policy limits.

WHEREFORE, Plaintiff Bertha N. Reaves requests that this court lift the stay in order to proceed with a less than policy limits settlement of the personal injury action.

WHEREFORE, Plaintiff also requests that this court allow Plaintiff's attorney to appear by telephone for any hearing scheduled pursuant to this Motion for Relief from Stay.

Respectfully submitted,

/s/ Allen E. Sorrell  
Allen E. Sorrell (ASB-1375-C65Z)  
Attorney for Plaintiff

OF COUNSEL:  
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## **CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of the above foregoing Motion on all parties listed below by CM/ECF or by mail on May 9, 2018.

***Bankruptcy Admin.***  
**Bankruptcy Administrator**  
U. S. Bankruptcy Administrator  
One Church Street  
Montgomery, AL 36104

***Trustee***  
**Sabrina L. McKinney**  
P.O. Box 173  
Montgomery, AL 36101

**C. Brandon Sellers**  
**Attorney for Debtors**  
**(Electronically)**

/s Allen E. Sorrell  
Allen E. Sorrell (ASB-1375-C65Z)